

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL F. HAINES, et al.,

Defendants.

CASE NO. C13-5082 BHS

ORDER GRANTING
PLAINTIFF'S MOTION TO LIFT
STAY

This matter comes before the Court on the Government's motion to lift stay (Dkt. 82).

On June 3, 2014, the Court stayed this action pending Defendant Daniel Haines's ("Haines") bankruptcy proceeding. Dkt. 76. On August 8, 2014, the Government filed the instant motion requesting that the Court lift the stay because Haines's bankruptcy case was dismissed. Dkt. 82. On August 26, 2014, Haines responded arguing that lifting the stay is not appropriate because he filed a motion for reconsideration of the bankruptcy dismissal and because his time for appeal has not run. Dkt. 84. The bankruptcy court has denied Haines's motion for reconsideration, and Haines has failed to cite any authority

1 for the proposition that this action may not proceed despite Haines's appeal. Moreover, it
2 appears that Haines has failed to timely file an appeal. *See* Dkt. 85 at 2. Therefore, the
3 Court **GRANTS** the Government's motion and the stay is hereby lifted. The Clerk shall
4 reopen this case and renote the Government's motion for summary judgment (Dkt. 65)
5 for consideration on the Court's September 26, 2014 calendar. Pursuant to Local Rule
6 CR 7, Defendants' response is due no later than September 22, 2014.

7 **IT IS SO ORDERED.**

8 Dated this 3rd day of September, 2014.

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11 BENJAMIN H. SETTLE
United States District Judge